

Message Text

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PAGE 01 STATE 105880 TOSEC 040120
ORIGIN PRS-01

INFO OCT-01 AF-10 ISO-00 SS-15 SSO-00 CCO-00 DHA-02
L-03 PA-01 /033 R

DRAFTED BY S/PRS:FZBROWN:SP
APPROVED BY S/PRS:FZBROWN
S/S :RPERITO

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O P 100002Z MAY 77 ZFF4
FM SECSTATE WASHDC
TO USDEL SECRETARY IMMEDIATE
INFO AMEMBASSY ABIDJAN PRIORITY

LIMITED OFFICIAL USE STATE 105880 TOSEC 040120

SEC. PARTY FOR HODDING CARTER FM S/PRS F.BROWN,ABIDJAN FOR PATT

E.O. 11652: N/A

TAGS: SOPN

SUBJECT: MAY 9 SAFIRE ARTICLE

REF: STATE 105062

NO. 17

1. HERewith TEXT OF FIRST PART OF ANSWER TO BE USED IF
ASKED FOR COMMENT ON SAFIRE ARTICLE. ADDITIONAL MATERIAL
BEING PROVIDED BY WHITE HOUSE AND WILL BE SENT YOU WHEN
RECEIVED.

2. BEGIN GUIDANCE:

Q: WOULD YOU COMMENT ON WILLIAM SAFIRE'S CHARGE THAT
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HODDING CARTER AND PATRICIA DERIAN HAVE A CONFLICT OF
INTEREST IN THEIR PARTICIPATION IN A GROUP APPLYING FOR
A TELEVISION LICENSE FROM THE FCC?

A: BOTH HODDING CARTER AND PATRICIA DERICAN HAVE, FOR
SEVERAL YEARS, PARTICIPATED IN A GROUP THAT IS APPLYING
TO THE FCC FOR THE TRANSFER OF A TELEVISION STATION LICENSE

IN JACKSON, MISSISSIPPI. THE FORMER LICENSEE IN JACKSON WAS CHARGED WITH HAVING ENGAGED IN RACIALLY DISCRIMINATORY PROGRAMMING AND NEWS REPORTS. IN THE PENDING APPLICATION, MR. CARTER AND MS. DERIAN JOINED OTHER INDIVIDUALS WHO HAVE BEEN ACTIVE IN CIVIL RIGHTS AFFAIRS IN MISSISSIPPI. THREE YEARS AGO, AN FCC ADMINISTRATIVE LAW JUDGE AWARDED A CONSTRUCTION PERMIT TO A COMPETING APPLICANT, AND NOT TO THE GROUP WITH WHICH MR. CARTER AND MS. DERIAN WERE ASSOCIATED. THIS INITIAL AWARD HAS BEEN THE SUBJECT OF A MOTION FOR RECONSIDERATION PENDING BEFORE THE FCC FOR THE PAST 2 1/2 YEARS.

WHEN MR. CARTER AND MS. DERIAN WERE NOMINATED FOR POSITIONS IN THE DEPARTMENT OF STATE, THEIR RELATIONSHIPS TO THIS PENDING FCC APPLICATION WERE REVIEWED BY THE DEPARTMENT'S OFFICE OF THE LEGAL ADVISER. BASED ON THIS REVIEW, MR. CARTER AND MS. DERIAN WERE REQUESTED TO TAKE THE FOLLOWING STEPS:

FIRST, THEY WERE TO RESIGN THEIR POSITIONS AS OFFICERS AND DIRECTORS OF THE GROUP SEEKING THE APPLICATION.

SECOND, THEY WERE TO MAKE IT CLEAR THAT THEY WOULD NOT PARTICIPATE IN THE BUSINESS OR AFFAIRS OF THE GROUP DURING THEIR PERIOD OF GOVERNMENT SERVICE, BUT WOULD DEVOTE 20 HOURS PER WEEK TO THE STATION AFTER LEAVING THE GOVERNMENT IN THE EVENT A LICENSE WERE GRANTED.

AND THIRD, IN THE EVENT A LICENSE WERE GRANTED, MR. LIMITED OFFICIAL USE

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CARTER AND MS. DERIAN WOULD CONSULT WITH THE OFFICE OF THE LEGAL ADVISER BEFORE EXERCISING ANY STOCK SUBSCRIPTION RIGHTS.

THE OFFICE OF THE LEGAL ADVISER WAS OF THE OPINION THAT THESE ARRANGEMENTS DID NOT VIOLATE APPLICABLE LEGAL REQUIREMENTS ON CONFLICTS OF INTEREST.END GUIDANCE.

3. IN PARA ONE, YOU MAY WISH TO BE MORE PRECISE ON LENGTH OF PARTICIPATION AND, POSSIBLY, STRENGTHEN REFERENCE TO CIVIL RIGHTS. WOULD APPRECIATE YOUR COMMENTS.

CHRISTOPHER

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NNN

Message Attributes

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Control Number: n/a
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Sent Date: 10-May-1977 12:00:00 am
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: FZBROWN:SP
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TAGS: SOPN, US, (SAFIRE, WILLIAM), (CARTER, HODDING), (DERIAN, PATRICIA)
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